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OFFICE OF PETITIONS

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STE 1500
ATLANTA GA 30339-5994

In re Application of	:	
Yang, et al.	:	
Application No. 10/076,120	:	ON PETITION
Filed: February 12, 2002	:	
Attorney Docket No. 122-2.1	:	

This is a decision on the petition to revive under 37 CFR 1.137(b), filed May 18, 2009.

The petition is **GRANTED**.

This application was held abandoned for failure to timely file a response to the non-final Office action mailed July 18, 2007. This Office action set an extendable period for reply of three (3) months. No reply having been received, the application became abandoned on October 19, 2007. A Notice of Abandonment was mailed on March 6, 2008.

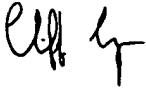
With the instant petition, petitioner paid the petition fee, made the proper statement of unintentional delay, and submitted the required reply in the form of an Amendment.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to

Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

The application is being forwarded to Group Art Unit 2626 for consideration of the Amendment filed May 18, 2009.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read 'Cliff Congo', with a stylized flourish at the end.

Cliff Congo
Petitions Attorney
Office of Petitions